IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

WP(C).No. 30627 of 2006(U)

PETITIONER:

H.M.SAHADULLA, S/O. A.M.HIBATHULLAJI,
PRINCIPAL, D.H.ORPHANAGE HIGHER SECONDARY SCHOOL,
POOKKARATHARA, EDAPPAL, MALAPPURAM DISTRICT.

BY ADV. SRI.V.M.KURIAN
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS

RESPONDENTS:

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1. **STATE OF KERALA, REP. BY**
   SECRETARY TO GOVERNMENT,
   GENERAL EDUCATION DEPARTMENT, THIRUVANANTHAPURAM.

2. **THE DIRECTOR OF HIGHER SECONDARY**
   EDUCATION, HOUSING BOARD BUILDING,
   SANTHI NAGAR, THIRUVANANTHAPURAM.

3. **THE REGIONAL DEPUTY DIRECTOR OF**
   EDUCATION, HIGHER SECONDARY EDUCATION DEPARTMENT,
   PARAPPIL, KOZHIKODE.

4. **THE MANAGER,**
   D.H.ORPHANAGE HIGHER SECONDARY SCHOOL,
   POOKKARATHARA, EDAPPAL, MALAPPURAM DISTRICT.

BY GOVERNMENT PLEADER SRI.T.T.MOHAMMED

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.C NO.30627/2006

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE PROPOSAL DT.2.6.06 SUBMITTED BY THE MANAGER TO THE 2ND RESPONDENT.

EXT.P2:- COPY OF THE ORDER DT.28.8.06 ISSUED BY THE 2ND RESPONDENT.

EXT.P3:- COPY OF THE ORDER DT.5..706 ISSUED BY THE 1ST RESPONDENT.

/TRUE COPY/

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K. M. JOSEPH, J.

W.P.C. NO. 30627 OF 2006 U

Dated this the 27th February, 2007

JUDGMENT

On the basis of the interim order passed by this Court, petitioner was directed to be paid salary as HSA. The matter was carried in appeal by petitioner. The Division Bench ordered that notwithstanding the fact that there was no sufficient period to grant salary as Principal, he is entitled to get the salary of his substantive post of HM and it was so ordered. Learned counsel for petitioner submits that in the light of the said Judgment of the Division Bench, this Writ Petition can be closed without prejudice to the right of the petitioner to ventilate his grievance regarding non-payment of salary as Principal. Granting such liberty, this Writ Petition is closed.

K. M. JOSEPH, JUDGE

kbk.